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ESTABLISHED 1911

D. LOGAN GIFFIN
(1890-1980)

MONTGOMERY S. WINNING
(1892-1966)

C. TERRY LINDNER
(1903-1987)

ALFRED F. NEWKIRK
(1904-1980)

JAMES M. WINNING
(1921-2013)

Illinois Liquor Control Commission
Attn: Richard Haymaker
100 W. Randolph, Ste. 7-801
Chicago, IL 60601

Re: **Proposed Rule for Section 100.255 (Off-Premise Retail Warehousing Prohibited)
and Rule Section 100.440 (Retailer Specific/Private Labeling)**

Dear Mr. Haymaker:

On behalf of the Associated Beer Distributors of Illinois (ABDI), we are submitting comments to proposed Rules Section 100.255(a)(b); Section 100.255(d) and Section 100.440:

Section 100.255(a)

Although ABDI concurs with the above Rule as presented; however, further clarification is necessary to insure that a holder of licensed retail premises may not transfer alcoholic liquor between other retail licensed premises. We recommend the following modification:

- a. A licensed retailer shall not be permitted to store alcoholic liquor at any location other than the retail licensed premises nor transfer any alcoholic liquor from the retail licensed premises to another retail licensed premises.

Section 100.255(d) (Revised)

We recommend clarifying Subpar. (d)(3) to read as follows: "Under no circumstances shall an extended premises be permitted for the purpose of increased storage capacity or as a common retail sales and service area."

We further recommend for clarification purposes adding the following additional provision:

4. The non-contiguous and non-adjacent location may not be for the use of any other retail licensee or contiguous or adjacent to any other retail licensed premises.

Section 100.440

We recommend revisions to Section 100.440 for the purpose of insuring distributor compliance with contractual provisions embodied within distribution agreements. In this connection, we are requesting an amendment to Subpar. (d):

Nothing in this Section permits a distributor to sell a brand of alcoholic liquor exclusively to one retailer or a group of retailers, unless the distributor is required to comply with the provisions of the distribution agreement designating an authorized distribution territory.

Sincerely,

GIFFIN, WINNING, COHEN & BODEWES, P.C.

Herman G. Bodewes

HGB:pa

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